

Next Town Assembly

**Village of Arden
Monday, January 22, 1996
7:30 p.m.
Arden Gild Hall**

AGENDA

- Officer Sasse, representative from New Castle County Police, will be present to address concerns of residents
- * Vote on support for development of a Long Range Plan and application for Ecosystem Based Management" grant by Community Planning Committee
- Reports and initial nominations from all standing committees

SPECIAL NOTICE

Arden Assessors Public Meeting

**Tue, Feb. 13 • 8:00 p.m.
Buzz Ware Village Center
The Highway, Arden**

This is an opportunity to present your views, concerns, questions or pertinent information before the Assessors begin their deliberations on the full rental value of Arden leaseholds and set land rent rates for 1997-1998. (Additional public hearings are scheduled for May 6 and June 4, 1996.)

TOWN ASSEMBLY FOR THE VILLAGE OF ARDEN SEPTEMBER 25 1995
AT THE GILD HALL ARDEN DELAWARE

Those present were:

Elizabeth Varley	Gail Rinehart	June Kleban
Larry Walker	Wayne Smith nv	Skip Salkeld
Judy Butler	Peggy Aumack	Ruth Bean
Lou Bean	Lew Aumack	Richard Bloom
Sally Hamburger	Aaron Hamburger	June Taylor
Larry Strange	Rae Gerstine	Pete Renzetti
Edward Rohrbach	Lee Starr	Eugene Shaw
Jannie Stearns	Paul Thompson	Mike Curtis
Brooke Bovard	Shaul Gladstone	Maryellen Jobson
Bernie Brachman	Lynda Kolski	Leon Tanzer
Frank Akutowicz	Yvonne King	Beverly Barnett
John Stevenson	Linda Eaton	Cecilia Vore
Steven Threefoot	Dale Levin	Marianne Cinaglia
Marjorie Mabrey	Connee Wright McKinney	Alton Dahl
Lynne Svenning	Thomas Colgan	Sadie Somerville
Mary Marconi	Mark Taylor	Dorinda Dove
Sharon Kelban	Chris Demsey	John Demsey
Tim Colgan	Jim Parks nv	Ruth Panella
Tom Hornung	Don Holcomb	

Agenda Clarification:

Peggy Aumack requested the Town Bulletin Board be organized to have Town information in one section and personals in another. Bill will get together with Peggy and try to resolve this.

Communications: none

Approval of June Town Minutes: approved

Wayne Smith State Representative spoke regarding the Bond Bill Funding for Street Improvement in the Village, this bill was passed on August 29th of this year in Special Session and the amount of the appropriation is \$6,000. Town Chairman, Bill Press thanked Mr. Smith and the Civic Committee will use the money for improvements in the Village if possible, this year. State Representative Smith also reported on a new stop light at the Harvey Road entrance to the new Montessori School.

Wayne is available for breakfast meetings at 7AM on Tuesdays at the Silverside Dairy Restuarant and encourages residents to join him.

TO: TOWN ASSEMBLY OF ARDEN
 RE: TRUSTEES' REPORT
 DATE: SEPTEMBER 25, 1995

- 1- The Village taxes will be paid on Sept. 29, 1995. The total of \$194,902.02 includes \$10,109.03 for 23 senior rebates. School taxes account for 73.2% of the total while county property taxes account for 26.8%.
- 2- All senior citizens who may qualify for New Castle County tax rebates are urged to file the necessary forms with the County Finance Department. Remember that the criterion for eligibility is not total income, but income declarable on the Federal tax return.
- 3- The total assessed value of Arden is now \$13,818,900, excluding the non-taxed roads, commons, and forests. The total school & county tax rate applied against this is \$1.4099 per \$100 of assessed valuation.
- 4- An estimate for administrative expenses in the amount of \$24,236 has been presented to the budget committee for inclusion in the 1996-1997 budget. \$8,736 is for staff salaries, while the remainder includes office rent, payroll taxes, auditing fees, legal fees, insurance, postage, duplicating costs, and various office supplies. In addition, expenses for committees like budget, advisory, & assessors, which have no budgets of their own, are included.
- 5- Expenditures against budget and balance sheets are available and are to be considered part of this report.

Respectfully submitted,
 Trustees of Arden

Shaul Gladstone
 Shaul Gladstone
 Sr. Trustee

Report accepted

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VILLAGE OF ARDEN
EXPENDITURES AGAINST BUDGET - 3/25/95 TO 8/31/95
PRESENTED TO TOWN MEETING ON 9/25/95

BUDGET ITEM	BUDGETED AMOUNT	EXPENDITURES F.Y. TO DATE	EXPENDITURES SINCE LAST REPORT
<u>COMMITTEES:</u>			
ARCHIVES	\$ 2,700	\$ 1,137.97	\$ 787.97
BUZZ WARE VILLAGE CENTER	1,460	400.09	358.90
<u>CIVIC:</u>			
COMMONS & FORESTS	13,000	8,705.31	3,731.98
ROADS	14,000	3,500.68	3,275.68
SPECIAL CLEAN-UP	2,000	1,077.48	-
TRASH COLLECTION	33,000	15,473.40	7,736.70
COMMUNITY PLANNING	1,000	-	-
LEGISLATIVE REFERENCE	250	-	-
PLAYGROUND	1,100	788.41	293.10
REGISTRATION	2,000	646.95	465.80
<u>SAFETY:</u>			
GENERAL	800	131.16	86.55
TOWN WATCH COORDINATOR	2,100	875.00	525.00
TRAFFIC LIGHT	600	-	-
WELCOME HITHER	250	-	-
<u>SALARIES:</u>			
ASSEMBLY SECRETARY	4,416	1,840.00	1,104.00
ASSEMBLY TREASURER	1,835	764.63	458.73
<u>OTHER LINE ITEMS:</u>			
CONTINGENCIES	2,000	-	-
<u>DONATION:</u>			
ACRA	700	700.00	-
ARDEN LIBRARY	400	400.00	-
ARDEN PAGE	450	450.00	-
FIRE COMPANIES	850	850.00	-
GILD HALL RENTAL	600	600.00	-
<u>TAXES:</u>			
NEW CASTLE COUNTY PROP.	53,000	285.26	-
SCHOOL	140,500	795.10	-
TELEPHONE	350	80.50	48.86
<u>ADMINISTRATIVE:</u>			
AUDITING	3,000	2,800.00	2,800.00
INSURANCE	6,500	6,072.00	5,711.00
LEGAL	1,000	-	-
OFFICE RENT	2,100	875.00	525.00
MISCELLANEOUS	1,000	546.56	349.63
PAYROLL TAXES	1,600	1,349.44	828.72
SALARY, ADMIN. ASST.	6,360	2,650.00	1,590.00
SALARY, SECRETARY	2,136	890.00	534.00
LESS ACCRUED TAXES	-	(470.10)	(282.06)
TOTAL	\$303,057	54,214.84	30,929.56

(NOTE: PERIOD COVERED IS FROM FIRST DAY OF FISCAL YEAR TO LAST DAY OF THE MONTH PRECEDING THE APPLICABLE TOWN MEETING.)

SIGNED: TRUSTEE Shaul G. Glatstone; ADMIN. ASS'T. Joe J. Gerstene

VILLAGE OF ARDEN
 RECEIPTS & BANK BALANCES - 3/25/95/ TO 8/31/95
 PRESENTED TO TOWN MEETING ON 9/25/95

BALANCE IN BANK MARCH 25, 1995

\$208,980.46

RECEIPTS:

INTEREST & DIVIDENDS	<u>7,414.10</u>
LAND RENT:	
FISCAL YEARS, PAST	<u>500.00</u>
FISCAL YEARS, PRESENT	<u>87,566.00</u>
FISCAL YEARS, FUTURE	<u>0.00</u>
LATE PAYMENT INTEREST	<u>-</u>
MEADOW LANE RENT	<u>249.00</u>
MEMORIAL GARDEN DONATIONS	<u>50.00</u>
MISCELLANEOUS	<u>148.46</u>
RIGHTS OF WAY:	<u>-</u>
CABLE TV	<u>-</u>
ROADS	<u>2,774.45</u>
 SUBTOTAL	<u>98,702.01</u>
INVESTMENTS, REDEEMED	<u>+ 10,000.00</u>
INVESTMENTS, NEW	<u>-200,000.00</u>
 TOTAL RECEIPTS	<u>(91,297.99)</u>

RECEIPTS + STARTING BANK BALANCE
 EXPENDITURES AGAINST BUDGET
 BALANCE IN BANK AS OF 8/31/95

\$117,682.47
- 54,214.84
63,467.63

INVESTMENT POSITION:
 ARDEN BUILDING & LOAN
 BANK INSTRUMENTS
 OTHER

40,000.00
200,000.00
-
240,000.00

TOTAL

SIGNED: TRUSTEE

Shaul J. Labaton; ADMIN. ASS'T. Rae G. Levine

Report of the Arden Advisory Committee, September 25, 1995

Advisory Committee met on September 5, 1995. A number of "weighty" items were reviewed, including a preliminary draft of the 1996-1997 Town Budget, budgetary concerns relating to the BWVC, the BWVC contract with Hand-in-Hand, and the Arden Hand Book (prepared by Legislative Reference).

The effort to locate individuals to run for the position of interim Town Secretary was successful, producing the name of Connee McKinney, who will be nominated at the September Town Assembly.

Some concern was raised regarding the status of zoning for "cottage industries" in Arden. Hugh Roberts offered to research the Delaware Law Code regarding this issue.

Assessors anticipate the election of new members at the September Town Assembly.

Russ McKinney has resigned from the Community Planning Committee. Election of a new member will be held at September Town Assembly.

It was agreed that Arden should continue its membership in the Delaware League of Local Governments. Efforts will be made to identify residents who are willing to represent Arden at the monthly meetings held by this group.

Respectfully submitted,

Judy Butler

The election for new members for the Community Planning Committee took place and Mary Marconi will serve as committee member and Linda Kolski will be runner-up.

The nomination of Connee Wright McKinney as interim Town Assembly Secretary took place and Connee will take over if present secretary Irene O'Connor is unable to complete her term which ends in March 1996.

Report accepted

Nominations for the Board of Assessors was then taken from the floor.
Nominees were:

- | | | |
|---------------------|----------------------|--------------------|
| 1. Steven Threefoot | 2. Eugene Shaw | 3. Linda Eaton |
| 4. Peter Renzetti | 5. Carl Falco | 6. Aaron Hamburger |
| 7. Bernie Brachman | 8. John Stevenson | 9. Alton Dahl |
| 10. Eliot Levin | 11. Lew Aumack | 12. Yvonne King |
| 13. Mike Curtis | 14. Elizabeth Varley | |

Lew Aumack, presented an alternate land rent proposal for the Village of Arden. Those present were reminded that that the imminent vote is not a vote of approval or disapproval of the just proposed plan, it is a vote of approval for its inclusion on the next tax referendum ballot, along with the proposed plan by the Assessors.

(The proposal is attached to these minutes.)

A vote was taken by the Registration Committee and the alternate land rent proposal did not receive the affirmative vote of two-thirds of the residents attending the meeting and will not be submitted to a general referendum of the residents of the Village.

BUDGET COMMITTEE: Larry Walker

Joe Pasquerella has resigned from the Budget Committee because he has moved from the Village.

We want to thank all standing committees for this prompt submission of their budget requests. This made the Committee's job much easier.

The Budget Committee requests all standing committees to consider future budget needs, for we will be working on the three year budget projection in a few more months. In January all standing committees will be asked to prepare projected budgets.

The proposed budget for 1996-1997 is attached.

Motion: Move to accept the Budget as presented. motion seconded and approved



Corrected copy

9-27-95

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AN ALTERNATIVE LAND RENT PROPOSAL FOR THE VILLAGE OF ARDEN

THE SINGLE-RATE SINGLE-TAX LAND RENT ASSESSMENT PLAN

A. OVERVIEW OF TAXATION REQUIREMENTS

Each year the leaseholders of Arden are presented with a tax (or "land rent") billing to pay

- New Castle County general and school taxes based on the total assessed value of Arden lands (L.V. assessment) and the sum total of all individual non-exempt leaseholder "improvements" (I.V. assessments); and
- costs approved by Arden residents for:
 - ◆ administering the Trust,
 - ◆ implementing the village budget, and
 - ◆ providing a "prudent reserve" for unexpected developments.

The costs of all such requirements for the 1996-1997 fiscal year is estimated at \$322,000; of this \$312,000 is to be generated from leaseholder "land rents."

The voting residents have no control over the levy of county taxes; they do have total control over how the monies are to be apportioned among the leaseholders (whether residents or not).

The Board of Assessors have presented the traditional four-rate system of assessment which will be presented automatically on the upcoming ballot for voter approval.

The present Single-Rate Single-Tax Plan is presented for consideration to you, and if deemed worthy of inclusion (i.e. is consistent with Georgist/Single Tax principles and practices and is not in violation of county or state restraints), will then be put on the ballot along with the assessors plan for all eligible voters to compare and choose.

B. THE VILLAGE OF ARDEN: RISE OR FALL?

1. THE PURPOSE OF ARDEN

The original purpose for purchasing farmland and establishing Arden in 1900 was to develop a working model of a more just social and economic model of community life than existed elsewhere in New Castle County or elsewhere in Delaware. That model was a complex formulation based on:

- "Single-Tax" theory and principles relating to the redistribution of land to all and equitable taxation on land, not labor (Henry George);
- home industries, arts and crafts based on the ideology of creative and productive work within the village itself (Morris, Price and Stevens); and
- self-determination and the power to create a more equitable, just and profound social system than what existed elsewhere.

In 1901 certain lands located in New Castle County were conveyed in fee simple to William L. Price, Frank Martin and George F. Stevens upon the trusts therein specified. These lands embrace the area of what is now known as the Village of Arden. The purpose of the trust was to found a village or community in which small industries and crafts would be encouraged on the part of people of moderate financial circumstances and to adopt in said village, in so far as practicable under existing laws, the system of land tenure and taxation advocated by Henry George and known as the "single tax." The community was thus intended to demonstrate in a practical way the operation of the single tax theory which its well known originator had advocated in his book entitled "Progress and Poverty."

2. UPSANDDOWNS

Perhaps the most succinct summary of the Arden dream is to be found in the Chancellors ruling in the Ross vs. Freeman case (p. 529) in 1935, where the following quotation appears.

In the early years Arden was characterized by an expansion of land development; a burgeoning of commerces, arts and crafts; a proliferation of democracy and diversity of

ideas and proposals; and a surging sphere of influence that turned neighboring fallow land and social systems into Ardentown and Ardencroft.

Later, it appears to have ground to a halt, with residents being willing to settle for a touting of an archival status in the history of the state and exhibiting not only no major progressions but, rather, a gradual regression away from the dream — in its place a major re-orientation to those power-brokers and economic practices referred to by maverick Arden assessor Harold Monfort as those "on the other side of the fence."

Most recently we have seen a resurgence of conviction that Henry George *lives* and that Single-Tax principles and practices are not quaint museum pieces but ideas with potency and viability for solving the avalanche of economic and social ills roaring down upon us — convictions no more powerful than those a century ago, but far more essential. A system that has the potential to grow, flourish and perpetually re-seed itself. Would that a comparable resurgence of the small industries, arts and crafts movement blossom forth!

C. A PROPOSED SINGLE-RATE, SINGLE-TAX PLAN

1. ESSENTIAL ELEMENTS

The present proposal would require that land rent be based on the following:

- one common rate per square foot of leasehold land (basically the same formulation previously in effect for most of the Arden years);
- elimination of the surcharge levied against leaseholds with
 - ◆ more than one "dwelling unit" and
 - ◆ income from commercial effort*; and
- supplemental positive and/or negative location factors relating to woodlands, greens and roadways.

* Nothing in this proposal affects the *status quo* regarding dwelling units or commercial establishments, although the proposed change in tax status may require rethinking and questioning our present restrictive policies.

2. GEORGIST/SINGLE-TAX JUSTIFICATIONS

The main bases for the just specified dimensions of land valuation are the following foundation stones of the single-tax system.

- a. **Land rent is to be based upon full potential development value**, not the current level of development (or undevelopment). The rationale for this, simply stated: by changing the same full value for land, whether fully developed/utilized or not, makes it unprofitable to hold land from use. A horrendous classic example includes the Chester, Pennsylvania slum areas where the slumlords pay little land-rent now but if charged the same potential development rate as

energetic apartment developers would soon lose money and either relinquish the land or go forward to develop it fully. Similarly, with the western land migration a century ago, the value should not have been set on the value of the prairie sod not yet turned, but on the value if plowed, irrigated, composted, harvested and sold. If not, why not just rent it to sharecroppers living at the survival edge and make your own profit for doing nothing?

- b. Not only should taxes be raised from the potential development/utilization value of the land, but **no taxes should be levied against the development/improvement of the land** — whether farms, manufacturing plants, iron foundries, weaving shops, computer services, pottery shops, residences or rental units. Rephrased, workers should not be tax-burdened for using their land to produce needed products or services, as is now the case.

Would I like to see:

- Pete Renzetti move his resurrected Arden Forge from Dillworthtown to Arden? **Yes!**
- An inheritor of Lady Darling's energy and skills at stained-glass work again produce beautiful and widely-acclaimed windows in Arden? **Yes!**
- An expansion of the pottery now produced in Arden? **Yes!**
- Elderly long-time residents of Arden rent out unused portions of their homes to supplement dwindling retirement resources? **Yes!**
- An Arden Print Shop, Arden Inn, Saturday market, Arden Co-Op? **Yes!**

Would I want to charge each of the above arts/crafts industries or services or rental units extra for being in Arden? No!

- c. **Self-determination overrides the archaic practices of those "over the fence."**

Too many Ardenites have forgotten the simple fact that we have the power to improve upon systems "over the fence;" the power to raise standards higher than those required by county or state law; the power to project a more enviable image of society and humankind. We have the power to apply a more enviable image of equity than does the real estate industry — a force that for many decades has been in the forefront of racism and sexism in America.

A most glowing example of the power to raise standards is the Arden Savings & Loan/Raiffeisen Gild, where "character is the best collateral," far more than material assets — a revolutionary concept bound to shake-up the realtor/banking land-baron complex!

Then too, the fact that the county grants exemption to taxation of the Gild Hall, but Arden says "tax-it!"

1!

We have the power to raise standards, to advance equality, to prevent racism, to be a potent example for those around us. But we tend to forget! We tend to follow the majority economic system rather than lead it down a better path.

3. A DISTURBING CLOSE LOOK AT THE ASSESSORS' PLAN

During a previous discussion of assessment plans the newer proposal was accused of being nothing but theory and principle, rather than factual, as was claimed for the Assessors plan. Perhaps we should look now at the Assessors four-rate system and distinguish between justified and unjustified "facts."

RATE A (the highest tax rate, referred to as the General Location Rate, but meaning presence of a dwelling unit) is pegged at 6,500 sq. ft. of dwelling unit usage, as if each residence uses up that much — justified on the basis of "that was the smallest size lot in Arden at the time." It is considered "the most developed part of the leasehold." The A rate for next year is set at \$128/1,000 sq. ft.

RATE B refers to leasehold land use to support more than one "dwelling unit," (1) whether born of an additional structure or simply a partition down the middle of the one preexisting structure (the litmus test being the presence of an additional stove) and (2) "with or without legal standing in New Castle County" (?). Each additional so-defined dwelling unit is judged to be worth \$101/1,000 sq. ft. (or 79% the value of the first unit), again applied to an "as if" size of 6,500 sq. ft. This concept is not quite, but almost, the same surcharge attempt that was declared illegal in the Ardencroft vs. Troyan case (1980), illegal on the basis that, to quote the Chancellor: *"Clearly this is a tax on the result of human endeavor and repugnant to George's philosophy."*

RATE C then, is for all square footage not taxed under Rate A and/or B. It's the left-over part that is deemed least developed—whether used for a workshop, garden or dumping ground for old tires and Christmas trees and for some unjustified reason is priced at \$53/1,000 sq. ft. (41% of the "most developed" portion).

RATE D is the "surcharge" rate for our sole business enterprise (the "Sub-Shop"), the total charge being the sum of Rate A for the most developed 6,500 sq. ft. of the leasehold, Rate C for the remaining sq. ft. and the D surcharge of 75% of C (the undeveloped rate) applied to the entire leasehold plot, 6,500 sq. ft. of which has already been taxed as highly developed!

To this reader, the tortured search for reason for justifying the four-rate tax structure makes this old bird wonder if this traditional system is related to *"voodoo economics"* or *"Alice in Wonderland!"* Even the attempt to use the supposed "law" of supply-and-demand to justify charging the smallest leaseholders almost

twice the rental rate per sq. ft. of the largest neglects to point out that smaller lots everywhere "over the fence" sell for higher rates simply because more people are available who can afford them and thus become unwitting victims of **overcharging** speculators. As a Georgist community, Arden should not emulate such exploitative practices. Better that realtors should look to us for a more equitable system. It is not for us to estimate how much we paid for the land in 1900 and whether that was a bargain or a rip-off. It is for us to decide how best to distribute land justly and charge for it fairly.

D. SYNOPSIS: SINGLE-RATE SINGLE-TAX PLAN

It is hereby recommended that the method for determining the land rent of Arden leaseholds for the fiscal year 1996—1997 be as follows:

1. All taxable square feet of land in Arden shall be subject to the same basic rate. To realize the required land rent income of \$312,000 the rate shall be set at \$81.40 per 1,000 square feet.
2. Location factor adjustments shall remain at the same percentage values as proposed by the Assessors plan.
3. No surcharges shall be applied relative to the use put to improvements made on the land: namely, dwelling units and commercial establishments.

E. CONCLUSION

The present Assembly is again reminded that the imminent vote

- is not a vote of approval or disapproval of the just proposed plan;
- it is a vote of approval for its inclusion on the next tax referendum ballot, along with the proposed plan by the Assessors.

In other words, you are asked to approve the presentation of both plans to the full electorate of Arden for consideration and choice, comparable to the approval of a "2-party" ballot.

I believe the "Single-Rate" plan to be sound, fair, consistent with the Georgist single-tax philosophy, and not in violation of any county or state laws.

I believe it deserves inclusion on the ballot and serious consideration by the entire community.

Respectfully Submitted,

Lew Aumack

Date

Lew Aumack

Sept. 25, 1995

Lewis Aumack
Arden Resident
2313 Woodland Lane

ARDEN BUDGET COMMITTEE REPORT SEPTEMBER 25, 1995

	1996/97 PROJECTED	1995/96 PROJECTED	1994/95 ACTUAL
INCOME			
Land Rent	312,000	299,000	279,729
Delaware Municipal Street Aid	10,000	10,000	10,389
Interest and Other Income	10,000	6,000	24,914
TOTAL INCOME	332,000	315,000	315,032
Reserve	77,650	78,107	85,637
TOTAL FUNDS AVAILABLE	409,650	393,107	400,669
NON-BUDGETABLE EXPENSES			
Property Taxes			
County	54,300	53,229	49,716
School	148,500	145,571	138,928
Trustees Administration	24,236	23,896	23,173
Delaware Municipal Street Aid-Roads	10,000	10,000	8,452
TOTAL NON-BUDGETABLE EXPENSES	237,036	232,496	220,269
BUDGETABLE EXPENSES	PROPOSED	APPROVED	ACTUAL
Archives (See Note 1)	3,280	2,700	1,590
Buzz Ware Village Center	500	1,460	1,440
Buzz Ware Village Center Roof Project (Note 2)	1,500		
Civic Committee: Roads	14,000	14,000	13,902
Commons & Forests	13,000	13,000	11,267
Trash Collection	32,000	33,000	30,947
Special Clean-up	2,000	2,000	1,808
Community Planning	200	1,000	747
Legislative Reference	700	250	0
Playground	1,300	1,100	2,900
Registration	3,000	2,000	2,931
Safety-General	900	800	1,160
Welcome Hither	250	250	12
Salaries: Secretary	4,548	4,416	4,265
Treasurer	1,896	1,835	1,835
Donations: Arden Library	400	400	300
Fire Companies	850	850	850
ACRA	700	700	500
Arden Page	450	450	400
Gild Hall Rental	650	600	550
Town Telephone	360	350	175
Town Watch Coordinator Salary	2,172	2,100	1,800
Traffic Light	600	600	0
Contingencies	2,000	2,000	557
TOTAL BUDGETABLE EXPENSES	87,256	85,861	76,906
TOTAL EXPENSES	324,292	318,357	322,662
NOTES:			
1. Archives expects to spend \$175 monthly for rent to the BWVC for a total of \$2,100 for FY 96-97			
2. BWVC expects to spend \$1,500 on a gutters, soffit, and fascia repair project.			
The Projected Reserve at the end of the 1995-96 Fiscal Year will be \$77,650.			
The Projected Reserve at the end of the 1996-97 Fiscal Year will be \$85,356			
The Budget Year will be March 25, 1996 to March 24, 1997			

ARDEN ARCHIVES REPORT 9/25/95

Activity at the Archives slows down a bit in the summer months since it is hot & stuffy there. However, we continue to receive donations of archival material on a regular basis and to fulfill requests for information from people who have read about Arden. Of course, we are always eager to help committees. The requests make us aware of the need to bring the task of cataloguing photos and files up-to-date.

This summer Mark Taylor, Sadie Somerville and Linda Eaton, using special equipment from Winterthur, photographed the Brachman/Kiefer family album for our files. The results are so good (some of the copies are clearer than the originals), it opens up a whole new avenue of preservation.

The committee shared a booth at the Arden Fair again, selling Arden memorabilia and providing a gathering place for older Arden reuners.

July 1995

Report accepted

AUDIT COMMITTEE: no report

ARDEN COMMUNITY PLANNING COMMITTEE
SEPTEMBER 25, 1995 REPORT TO TOWN ASSEMBLY
 Bev Barnett, chair; Marj. Mabrey, recorder

The long range planning process inches forward.

We are interviewing citizens whose voices might not be heard at Village Assemblies or in committee meetings. We are asking what it is that is important to us about Arden, what should be maintained and what should be changed. Please give us your ideas.

The next step is to define our goals. Our best definition so far is found in The Arden Book, page 8, as the reasons that Arden was designated an historic village.

We are beginning an inventory of the existing facilities of the village—water, sewers, roads, paths—as well as an inventory of the woodlands. We have sought help from the New Castle County Planning Commission, Historic Preservation Section and from the Urban Forester of the Delaware Department of Agriculture.

Community Planning has worked with Civic Committee to better define the sources of pollution in the small stream from the Memorial Garden to Perkins Run. We believe the major sources are the Arden Pool, springs which percolate up through fill dirt and parking lot, street run-off. We have asked the Arden Club to investigate methods of bringing the pool discharge practices up to 1995 code standards. We (or Civic) will have samples of spring waters analyzed for dangerous pollutants.

Members of Community Planning will attend WILMAPCO's draft review of long-range transportation plans for 2020 AD at Brandywine High School on September 19 with Marianne Cinaglia.

Under Marianne's leadership, we are supporting efforts to minimize the impact of the Buckingham Greene development on Sherwood Forest and Perkins Run.

Marianne identified five other properties neighboring Arden which could become future sites for development. We are identifying the ownership of these properties and evaluation plans for development or protection of their natural state.

We encourage the town will sent representatives to the Land Owners' Watershed Protection Conference convened by the Delaware Nature Society on Wednesday, September 27, 8am - 4pm.

We have increased our 1996 budget request to cover appropriate conference fees.

The Committee would like to obtain volunteers to attend such conferences and work shops to gather information and report back to the Committee.

Planning Committee will encourage Ardentown to maintain the existing path that parallels Harvey Road which lies between The Mall and Harvey Road properties.

We need to replace committee member Russ McKinney and will nominate Linda Kolski and Mary Marconi for a replacement and an alternate, non-voting member at this Village Assembly.

Memorial Garden report from Ruth Bean and the new backup representative, Leo Tanzer:
 Volunteers are needed for a fall cleanup scheduled for Saturday, October 21, from 9am until noon. The rain date will be Sunday, the 22nd. Please sign up tonight. Rick Rothrock has agreed to create and install a stone bench in the Garden. The new data base of burials based on Ed Rohrbach's site plan has been finished by Bev Andrus. There are several new burials over the summer to record. Elizabeth Varley is preparing horticultural labels for the Garden's trees.

Report accepted

A request was made to the Community Planning Committee to look into restoring all the Memorials and special plantings in the Village to the original setting.

CIVIC COMMITTEE REPORT
ARDEN TOWN MEETING
September 25, 1995

Our major road repair this summer was the repaving of Miller Road from its intersection with Mill Lane to Marsh Road. The intersection and a short distance up Mill Lane were included. Significant patching was done on Orleans and Hillside Roads. All of this work involved removing the existing pavement and making foundation repairs where necessary. We will in the future do the jobs this way whenever it is practical.

Recycling by our trash hauler, Home Waste, has started. It was not without difficulty, but I am sure will settle down and become routine. Remember recycled materials will be picked up the second and fourth Tuesdays of each month.

We took down a very large ash tree in Memorial Garden west of the bridge. There is plenty of wood there just waiting to be split. You can drive right up to the wood if you use the fire lane from Pond Lane (also known as Leon Tanzer's driveway). Do help yourself. Take my word for it it will get cold again.

The Civic Committee has agreed to take part in correcting a Gild Hall drainage problem. We have agreed to cover the cost of correcting the problem that resulted from repaving the Highway.

We are assured that we have a \$6000 grant for raising the remaining curbstones on that section of the Green south of Inn Lane. We have faith that the DOT means what it says so we are inviting bids. If we delay we could easily miss this construction season.

S. L. Bean

Report accepted

September 25, 1995

Legislative Reference Committee - Report To Town Assembly

A copy of the "Arden Handbook was distributed to the members of the Advisory committee for review, correction and comment prior to final production. We have received responses from the Trustees and one or two of the committee chairs. A copy is available for you to see tonight.

We have scanned all of the material included in the book so that updates may be done by computer. This has accounted for a number of errors that have been dealt with by reviewers with much enthusiasm that is appreciated by the committee. We welcome any and all suggestions that will improve the book and make it more useful to residents.

Currently we expect to distribute a copy to each leasehold or family in Arden and have copies available for new residents. The contents includes: Town Assembly Calendar and Agenda, Policy and Procedures, Committee descriptions, all town ordinances, An act to Reincorporate and a copy of the Lease.

Report accepted

PLAYGROUND: no report

SAFETY: Tim Colgan for Peter Renzetti

- September 14th Hurricane Workshop was cancelled - reschedule
- Ordinance #13 has been circulated - we are now starting to remind citizens and improve compliance.
- The "Starr" mailbox has been moved from Harvey to Hillside and the visibility is great - thank you Lee for allowing me to move it.
- Through efforts of myself and the prodding of Rep. Wayne Smith, I met with John Leger and Chief Steve Truitt of the Del. Traffic Safety Department at the Sherwood intersection at Marych & Harvey Road 11am today - the right turn on red has to remain to present build-up of traffic on Marsh, line paintings on the road will happen faster if we do it, but we came up with the traffic lights to remind traffic not to re-enter the intersection from Sherwood - I will follow up on that, and we will paint the yellow grid with "do not enter on the road surface."
- We will advise the new owners of the Patterson house on Hillside, to improve visibility from Hillside north on Harvey.

Report accepted

The Buzz Ware Village Center Committee Report

September 25, 1995

The Buzz Ware Village Center Committee has been very busy since the June 20th meeting. I would like first to report on the building use: There have been 10 Committee meetings, an Arden Stream Watch meeting, and Merry-Go-Rounders meetings; One Film Series and they will resume in October on Saturday Oct. 21st at 7:30. There were two play-reading sessions and the next Shakespeare's "Much Ado About Nothing" will be on Oct. 28th. There were 3 rentals of room #4, an Ardencroft meeting; Henry George Study session; and an Edgar Cayce introduction session.

This weekend two nights and an afternoon rooms 1 and 2 featured a guitar concert and benefit for Ernesto Diaz-Tamayo, a recent Cuban emigre, which was most successful. All scheduling as well as the keys are now in the able hands of our Secretary Debbie Theis. Call her well in advance at 475-1995.

The YMCA After-School program had an open-house in August and began its Fall program when school started. They have twenty-two children enrolled, as compared to six last school year, and two staff members in charge.

ACRA had a most successful program during their summer session. The Hand-in-Hand Child Care staff and ACRA staff worked harmoniously together with some joint ventures for the preschoolers for instance sharing their toddler equipment with ACRA preschoolers.

The air-conditioning was installed in time to make the unusually hot summer bearable for the children and staff of Hand-in-Hand. We are still waiting for the play-ground to be completed and the wing-set installed. There have been the usual ongoing maintenance, such as minor plumbing, gutters, repairing screens, etc. A larger problem faced us when we were informed that there were "soft spots" in the roof. After a period of great anxiety, John Demsey, Eliot Levin and Larry Walker concluded that about \$3,000 worth of repairs and patching would take care of the problems. This has already been taken care of. We hope to repair some of the soffits and renew guttering during the next budget year.

The Finance Committee reported to Advisory on September 4th and it was suggested that the description of Buzz Ware Village Center be amended as follows, adding item #5 to section B:

5. Exercise financial management of the Buzz Ware Village Center including:

- Receiving rentals and other income sources
- Expending funds to operate and maintain the Village Center

At the September Town Assembly present for review a proposed budget of estimated income and expenditures for the next fiscal year. Expenditures above \$1000., not included in the adopted budget should be reviewed in advance by the Town Assembly except where the expenditure is required to deal with an emergency situation.

Programming costs and committee administrative expenses will still be line items. And we will, as in the past, request help for some major projects.

I would like to take one moment to review the history of the BWVC for those residents who have not lived here long enough to know its evolution. The building was the Arden School, a one school district serving 3 Ardens until 1969. From 1969 - 1972 it was a kindergarten center to serve the large population of the former Silverside School in the Mt. Pleasant School District. When no longer needed it was given to the Village of Arden. The Wilmington Montessori School had the use of the building from 1973 to Jan., 1994. The arrangement was a cooperative agreement whereby the WMS paid a monthly fee (rather than rent) into a maintenance fund and paid all utility bills. They also did other maintenance such as painting the inside of the building. The BWVC was charged to manage the maintenance fund to pay custodial fees and any major repairs necessary. When major improvements were made in the last six years — such as the ceilings in the halls, and

room #4 and some necessary electrical work to meet fire-code — the Village has added funds as approved by referendum.

When WMS began building their campus the committee actively sought community input as to future plans for the BWVC. The surveys of 1990 and 1994 indicated that the majority of the residents wanted to maintain the building in good repair, available for the use of the community and also as self-sufficient financially as possible. In 1993 WMS let us know they wished to "buy-out" of their cooperative agreement which was to be in effect until July 1, 1996. The committee was authorized by the Village Assembly to negotiate such as "buy-out". At the same time we also sent out large numbers of letters to public agencies, child-care programs, recreation programs, etc., informing them that the facility would be available for rental by Fall of 1994. The present tenants proved to be the best solution for our needs. We want this public building to remain accessible to the community, to provide year-round storage for ACRA and adequate space for their summer program. We want to provide the Archives with permanent and secure quarters and be able to meet whatever future needs may be.

We have had to put in a large amount of one-time expenses to bring the building up to code for use by children. This however is an investment in the future.

You have all received a copy of our budget and will see that we are trying to build up a maintenance reserve for unexpected emergencies. The figures reflect the expenses of the last six months and what increases we expect with greater use of the facility. Our tenants receive limited custodial services, being responsible for some of the day by day cleaning chores. We are trying to be as frugal as we can, and yet be responsible.

I would ask that at the end of this report we get approval for the budget and a vote on the motion regarding the wording for our committee's charge. This authorization will then put our income and expenses into the reported and audited budget of the Village of Arden, as requested in June's Advisory Meeting.

Another task that took a lot of time was writing a rental contract of Hand-in-Hand Child Care. Their one-year lease ends on November 30th. At this time their enrollment is 23 children, six of whom are from the Ardens and some of whom are only part-time. They hope that their enrollment will reach at least 35 this year. Because of their still uncertain status and our needing time to assess the full cost of maintenance it has been decided to write a one-year contract only, which can be reviewed and also renegotiated next Fall. We scheduled a meeting last Wednesday for people to examine the contract, and we also have had a large number of people looking it over and suggesting changes. The document you see tonight is the final draft, which has incorporated those suggestions and I ask this assembly to give us their approval.

Kate Rugieri is in the process of preparing some conceptual drawings which she will bring to our October 9th meeting as to possible capital improvements to the building to meet the diverse programs using it. We also met with Wayne Smith (Bill Press and Marianne Cinaglia attended) to discuss possible sources of grant moneys to do some of the upgrading the building will need hopefully before the Centennial. Dale has begun to look into some of these funds and we will report further to the Village in the future.

I would like to publicly thank my committee Debby Theis, Mark Taylor, John Demsey, Dale Samson-Levin and also Hays Butler and Shari Gallapher (our nonvoting member) as well as Connee McKinney for their hard work, support and help during this transition period.

Submitted by Ruth Bean, Chairperson

Ruth F. Bean

There was a vote of approval for the proposed budget for the BWVC and a vote of approval for the Lease for the Hand and Hand Child Care Center.

REAL ESTATE LEASE

This Lease Agreement (this Lease) is made effective by and between Village of Arden ("Landlord") Buzz Ware Village Center Committee as the assigned agent of the landlord and Hand-In-Hand Child Care Center ("Tenant"). The parties agree as follows:

PREMISES. Landlord, in consideration of the lease payments provided in this Lease, leases to Tenant Rooms #1 and #2 at the Buzz Ware Village Center, 2119 The Highway, Arden, Delaware 19810.

PARKING. There will be no parking on the Sherwood Green in the vicinity of the Buzz Ware Village Center except by special permission in advance from the Arden Civic Committee. All parking must be done in the off street parking lots. If the parking lots are full so that street parking becomes necessary, Arden Safety Ordinance # 13 requires that the curbside wheels be off the street. Parking must done in the following priority: 1) front lot parking; 2) over-flow lot at the end of Sherwood Green; 3) off street parking as indicated above.

FURNISHINGS. The lease of the Premises includes the furnishings listed on the attached exhibit. Tenant shall return such items at the end of the lease term in a condition as good as the condition at the beginning of the lease term, except for the deterioration that might result from normal use of the furnishings.

STORAGE. Tenant shall be entitled to store items of personal property in Hallway closets by Room #4 during the term of this lease. The Landlord shall not be liable for loss of, or damage to, such stored items.

PLAYGROUND. The tenants have use of the public playground adjacent to the Buzz Ware Village Center. The landlord is responsible for maintaining the fenced in playground and the equipment installed by the Village of Arden, in safe and orderly condition. The landlord will consult with tenant before installation of any additional permanent play equipment. The tenant is responsible for any moveable play equipment, storage sheds, and play vehicles belonging to them. The landlord will not be held responsible for damage or loss thereof nor for any injury as a result of the use of such equipment. the grass within the fenced area will be cut on the same basis as the rest of the green.

OCCUPANTS. The occupancy shall be in accordance with the tenant's current certificate of occupancy issued by New castle County. The premises will be occupied by children and staff in compliance with the state Child Care licensing

Regulations. The tenant will apply for NAEYC accreditation when eligible for such application.

TERM. The lease term will begin on December 1st 1995, and will terminate on November 31 1996.

RENEWAL TERMS. This lease shall automatically renew for an additional period of one year per renewal term, unless either party gives written notice of the termination no later than three months prior to the end of the renewal term. The lease terms will be renegotiated at the end of the lease.

HOLDOVER. If the tenant maintains possession of the Premises for any period after the termination of this lease payment for the Holdover Period will be based on 105% of the normal payment rate set forth in the following Lease Payments paragraph. Such holdover shall constitute a month extension of this Lease.

LEASE PAYMENTS. the tenant shall pay to the landlord monthly payments of \$1,250, payable in advance on the first day of each month for a total annual lease payment of \$ 15,000.00 for the contractual year 1995-1996. Lease payments shall be made to the Buzz Ware Village Center, 2111 Orleans Road Arden, DE 19810. This fee includes the cost of electricity for air conditioning

LATE PAYMENTS. Tenant shall pay a late fee equal to \$40.00 per day, beginning with the day after the due date for each payment that is not paid on time.

NON-SUFFICIENT FUNDS. The tenant shall be charged bank charges for each check that is returned to the landlord for lack of funds.

SECURITY DEPOSIT. At the time of the signing of this lease, a \$1200 security deposit is already held by the landlord.

POSSESSION. The tenant shall be entitled to possession of the premises on the first day of the term of this lease, unless otherwise agreed by both parties in writing.

USE OF PREMISES/ABSENCES. Tenant shall notify landlord of any anticipated extended absence from the Premises not later than the first day of the extended absence.

REMODELING OR STRUCTURAL IMPROVEMENTS. Any construction shall be undertaken or fixtures erected only with the prior written consent of the landlord. At the end of the lease term, the tenant shall be entitled to remove or (at the request of the landlord) shall remove such fixtures, and shall restore the premises to substantially the same

condition of the premises at the commencement of the lease. Should the landlord plan any remodelling of the premises which would interfere with the normal use of the tenant's space a written notice shall be sent no less than 60 days prior to commencement of such work. The landlord and the tenant shall negotiate mutually agreeable accommodations and/or financial adjustments to defray any loss of revenue to the tenant.

MAINTENANCE. Landlord shall have the responsibility to maintain the premises in sufficiently good repair to meet any licensing requirements.

ACCESS BY LANDLORD TO PREMISES. the landlord shall have the right to enter the premises to make inspections, provide necessary services, or show the unit to prospective tenants, or for any other purpose. Access during the hours of operation of the facility will be subject to consent of the tenant; such consent shall not be required during the hours the facility is not in operation.

UTILITIES AND SERVICES. Tenant shall be responsible for the following utilities and services in connection with the premises:

-telephone service

The tenant acknowledges that the landlord has fully explained to tenant the utility rates, charges and services for which tenant shall be required to pay other than those to be paid directly to the utility company furnishing the service.

Landlord shall be responsible for the following utilities and services in connection with the premises:

- electricity, except as noted above
- water and sewer
- gas
- heating
- garbage and trash disposal
- limited janitorial services which are defined in addendum

Landlord will provide snow removal when snow is two or more inches or more. In icy conditions walkways will be sanded. Landlord will be responsible for emergency repairs as outlined in the addendum.

PROPERTY INSURANCE. The landlord and tenant shall each be responsible to maintain appropriate insurance for their respective interests in the premises and property located on the premises. The tenant must provide Village of Arden with a certificate of insurance for tenant's liability and

possessions in the amount recommended by the insuring agent, but not less than \$1,000,000.

DANGEROUS MATERIALS. The tenant shall not keep or have on the premises any article of a dangerous, inflammable, or dangerous character that might substantially increase the danger of fire on the premises, or that might be considered hazardous by the parties' insurance companies, unless the prior written consent of landlord is obtained and proof of adequate insurance protection is provided by tenant to landlord.

DESTRUCTION OR CONDEMNATION OF THE PREMISES. If the premises are partially destroyed in a manner that prevents the conducting of tenant's use of the premises in a normal manner, and if the damage is reasonably repairable within sixty days after the incurrance of such destruction, and if the cost of repair is less than \$20,000.00, the landlord shall repair the premises and lease payments shall abate during the period of repair. However, if the damage is not repairable within 60 days, or if the cost of repair is \$20,000 or more or if the landlord is prevented from repairing the damage by forces beyond the landlord's control, or if the property is condemned, this lease shall terminate upon twenty days written notice of such event or condition by either party.

DEFAULTS. The tenant shall be in default of this lease, if the tenant fails to fulfill any lease obligation or term by which the tenant is bound. Subject to any governing law to the contrary, if the tenant fails to cure any financial obligation within 5 days (or any other obligation within 5 days) after written notice of such default is provided by tenant to landlord, landlord may take possession of the premises without further notice, and without prejudicing landlord's rights to damages. In the alternative, landlord may elect to cure any default and the cost such action shall be added to the tenant's financial obligations under the lease. Tenant shall pay all costs, damages, and expenses suffered by landlord by reason of tenant's defaults. All sums of money or charges required to be paid by tenant under the lease shall be additional rent, whether or not such sums or charges are designated additional rent.

PETS. Permanent pets shall not be allowed without the prior consent of the landlord.

ASSIGNABILITY/SUBLETTING. Tenant may not assign or sublease any interest in the premises.

TERMINATION UPON SALE OF THE PREMISES. Notwithstanding any other provisions of this lease, landlord may terminate this lease upon 365 days written notice to tenant that the premises have been sold.

NOTICE. Notices under this lease shall not be deemed valid unless given or served in writing and forwarded by mail, postage prepaid and addressed as follows:

LANDLORD:

Name: Village of Arden, Buzz Ware Village Center
Address: 2119 The Highway
Arden, Delaware
19810

TENANT:

NAME: Hand-in hand Child Care Center
2119 The Highway
Arden, Delaware
19810

Such address may be changed from time to time by either party by providing notice as set forth above.

ENTIRE AGREEMENT/AMENDMENT. This lease agreement contains the entire agreement of the parties. There is no other promises or conditions and any other agreement whether oral or written. This lease may be modified or amended in writing, if the writing is signed by the party obligated under such amendment.

SEVERABILITY. If any portion of this lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this lease is invalid or unenforceable, but that by limiting such provision it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

CUMULATIVE RIGHTS. The rights of the parties under this lease are cumulative, and shall not be construed as exclusive unless otherwise required by law.

GOVERNING LAW. This lease shall be construed in accordance with the laws of Delaware.

MISCELLANEOUS.

- (1) If the tenant forms a Board of Directors, an Arden resident chosen by the Buzz Ware Village Center Committee will be a member of such board.
- (2) The tenant will give residents of the three Ardens a 5% discount on child care fees unless the landlord agrees otherwise.